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HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.NO. 737/2005

PETITIONER Rakesh Kumar Agrawal, S/o. Late Shri Kedar Nath Agrawal, Aged about 29 years, R/o. C/o. Alka Lodge, Near Bus Stand, Patthalgaon, District Jashpur Nagar (CG)

Vs.

RESPONDENTS Chhattisgarh Public Service Commission, Raipur, Through its Secretary, Chhattisgarh Public Service Commission, Raipur (CG)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(SB: Hon'ble Mr. **Satish K. Agnihotri, J.)**

Shri P.Diwakar, Sr. Advocate with Shri P.K.Bhaduri, counsel for the petitioner.
Shri Abhishek Sinha, counsel for the respondent.

O R D E R

(Passed on this 15th day of November 2007)

1. The petitioner has filed this petition seeking a direction to the respondent to re-value the answer papers of Public Service Commission (State Civil Services Examination 2003) of all the seven subjects by some independent valuer.

2. Admittedly, there is no provision for re-evaluation of the answer sheets in a competitive examination conducted by the respondent/Commission.

3. Learned counsel appearing for the petitioner submits that though there is no provision for revaluation but on the basis of equity, case of the petitioner be considered.

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4. Be that as it may, the Supreme Court in the matter of ***Pramod Kumar Shrivastava Vs. Chairman, Bihar Public Service Commission, Patna and Others*** reported in ***(2004) 6 SCC 714,*** has settled, the legal position "that in absence of a specific provision conferring a right upon an examinee to have his answer-books re-evaluated, no such direction can be issued. There is no dispute that under the relevant rule of the Commission there is no provision entitling a candidate to have his answer-books re-evaluated."

5. For the reasons mentioned hereinabove, this petition is not tenable and deserves to be dismissed.

6. Accordingly, it is dismissed. No orders as to costs.

Sd/-
Satish K. Agnihotri
Judge

Suguna